

STAFF REPORT

Meeting Date: September 18, 2002

LAFCO CASE: LAFCO 02-13 – Oxnard Drainage District No. 1 Detachment – Sun Cal

PROPOSAL: The proposal includes a detachment of four parcels, a total of approximately 58.51 acres, from the Oxnard Drainage District No. 1 for the purposes of removing the parcels from the District.

PROPONENT: Oxnard Drainage District No. 1, by resolution

SIZE: Approximately 58.51 acres

LOCATION: The proposal area is located between Harbor Boulevard and Victoria Avenue, south of Wooley Road, and is located within the City of Oxnard.

**ASSESSOR'S
PARCEL NO.S:** 188-0-110-405, -415, -475, -485

NOTICE: This matter has been noticed as prescribed by law.

RECOMMENDATION:

Adopt the attached resolution (LAFCO 02-13) making determinations and approving the Oxnard Drainage District No. 1 Detachment - Sun Cal.

COMMISSIONERS AND STAFF

COUNTY Steve Bennett, Chair Kathy Long <i>Alternate:</i> Judy Mikels	CITY Linda Parks John Zaragoza <i>Alternate:</i> Evaristo Barajas	SPECIAL DISTRICT Jack Curtis John Rush <i>Alternate:</i> Dick Richardson	PUBLIC Louis Cunningham, Vice Chair <i>Alternate:</i> Kenneth M. Hess
EXECUTIVE OFFICER Everett Millais	PLANNER III Hollie Brunsky	CLERK Debbie Schubert	LEGAL COUNSEL Noel Klebaum

GENERAL ANALYSIS:

1 Land Use:

A. Site Information

	Land Use	Zone District Classification	General Plan Designation
Existing	Vacant	City of Oxnard: R-W-1; Single Family Water-Oriented R-2-C; Coastal Low- Density Multiple Family R-3-C; Coastal Medium Density Multiple Family CVC; Costal Visitor- Serving Commercial RC; Coastal Recreation	City of Oxnard: General Plan: Low Medium Density Residential and Visitor Serving Commercial; Mandalay Bay Specific Plan: Residential and Mixed Use
Proposed	No change as a result of this approval. (The City of Oxnard approved Tentative Tract Map No. 5196 for proposed Residential and Commercial developments).	No Change	No Change

B. Surrounding Land Uses and Zoning and General Plan Designations

	Land Use	Zone District Classification	General Plan Designation
North	Agriculture	County: A-E, Agricultural Exclusive	County: Agriculture
South	Residential	City: CPC; Coastal Planned Community	City: Low Medium Res. /Visitor Serving Commercial
East	Agriculture	City: CPC	City: Low Medium Res. /Visitor Serving Commercial
West	Southern California Edison Canal	City: CR; Community Reserve	City: Community Reserve

C. Topography, Natural Features and Drainage:

The site generally level. The proposal area is bounded to the west by Reliant Energy Canal and is adjacent to Wooley Road on the north. There are no significant habitats or other features on the site. Although the site was once used for agriculture, the site is currently graded with no vegetation.

D. Conformity with Plans

The proposal area is within the City of Oxnard. The proposed new uses of residential and commercial are consistent with the Mandalay Specific Plan designation of Residential and Mixed Use.

2. Impact on Prime Agricultural Land, Open Space and Agriculture:

The proposal area is considered to be prime agricultural land as defined in Government Code Section 56064. The proposal area is not considered to be open space or in a designated greenbelt area.

The proposal area is within the City of Oxnard and has a general plan designation for residential and commercial use.

The proposal associated with this detachment request is the removal of the property from the Oxnard Drainage District No. 1, which provided agricultural drainage services to the property. As the site will no longer be used for agriculture, there is no need for the property to stay within the District.

No further agricultural impact analysis is required as this property is already within the City of Oxnard and planned for urban development, and there are no LAFCO agricultural policies for proposals already within urban (city) boundaries.

3. Population:

The proposal area has no residents, thus, the site is considered uninhabited.

4. Services and Controls – Need, Cost, Adequacy and Availability:

The site is within the City of Oxnard and the City already provides certain urban services (e.g. police and fire). Upon development of the proposal area, the site will be served by the City of Oxnard for water, sewer, and drainage services. Neither the property nor the adjacent areas will be affected by the detachment from the Oxnard Drainage District.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

A map sufficient for filing with the State Board of Equalization has been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within tax rate area 03078 (\$1.206371). Upon completion of this annexation the area will be assigned to a new tax rate area 03016 (1.206371).

The total assessed value per parcel per the 2002-2003 tax roll is as follows:

APN 188-0-110-405:	\$4,903,841
APN 188-0-110-415:	\$ 909,454
APN 188-0-110-475:	\$ 638,520
APN 188-0-110-485:	\$ 126,757

7. Environmental Impact of the Proposal:

The EIR for the City of Oxnard's Local Coastal Plan, EIR 81-2, and the subsequent addendum for the Mandalay Specific Plan, approved in 1998, addressed the loss of agricultural land in the proposal area. The site is surrounded on two sides by residential areas which are often incompatible with agricultural operations. Furthermore, the EIR stated that there is only well water available on the eastern portion of the site and as drilling restrictions may be enacted the price of city-supplied water would be too costly for agricultural production. Lastly, the City of Oxnard proposes a buffer area between the northern agricultural lands and the project site to lessen any potential adjacent agricultural impacts.

The Oxnard Drainage District No. 1 is the lead agency for this proposal and the District found the proposal to be categorically exempt under Section 15320 of the California Environmental Quality Act Guidelines that exempts changes in organization of local governmental agencies where the changes do not change the geographical area in which existing powers are exercised. However, this Section actually does not apply to this detachment as the agency boundaries are changing and being reduced.

The CEQA Guidelines applies to actions considered to be projects. LAFCO staff recommends to the Commission that the proposal be considered "Not a Project"

under Section 15378(b)(5) of the CEQA Guidelines. Section 15378(b)(5) defines that "Organizational or administrative activities of governments which are political or which are not physical changes in the environment" are not considered projects under CEQA. As the proposed detachment will not have any physical changes to the environment, it is appropriate to consider it not a project under CEQA.

8. Landowner and Annexing Agency Consent:

The property owner involved in this proposal has given their written consent to annex and the consent is filed with LAFCO. The Oxnard Drainage District No. 1 has requested the waiver of conducting authority proceedings.

ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue the proposal should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to deny or modify this proposal, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

STAFF: Hollee King Brunsky, Planner III

BY: _____
Everett Millais, Executive Officer

Attachments: (1) Vicinity Map
(2) 02-13 Resolution with Exhibit A

LAFCO 02-13

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING LAFCO 02-13 – OXNARD DRAINAGE
DISTRICT NO. 1 DETACHMENT – SUN CAL**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Government Reorganization Act of 2000; and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the consideration by the Commission on the proposal; and

WHEREAS, the proposal was duly considered on September 18, 2002; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the request including, but not limited to, the Executive Officer's report and recommendation; and

WHEREAS, information satisfactory to the Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, the Ventura Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Ventura County as follows:

- (1) The Executive Officer's Staff Report and Recommendation for approval of the proposal dated September 18, 2002 is adopted.
- (2) Said annexation as set forth in Exhibit A and attached hereto is hereby approved as submitted.
- (3) Said territory is found to be uninhabited.
- (4) The subject proposal is assigned the following short form designation:
LAFCO 02-13 – OXNARD DRAINAGE DISTRICT NO. 1 – SUN CAL
- (5) The boundaries of the affected territory are found to be definite and certain as approved.

- (6) The Commission has reviewed the proposal and has determined that the proposal is not a project under the State CEQA Guidelines, Section 15378(b)(5) and that no further environmental review is required.
- (7) The Commission waives conducting authority proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have consented in writing to the waiver of conducting authority proceedings. [Government Code Section 56663].

This resolution was passed and adopted on September 18, 2002.

AYES:

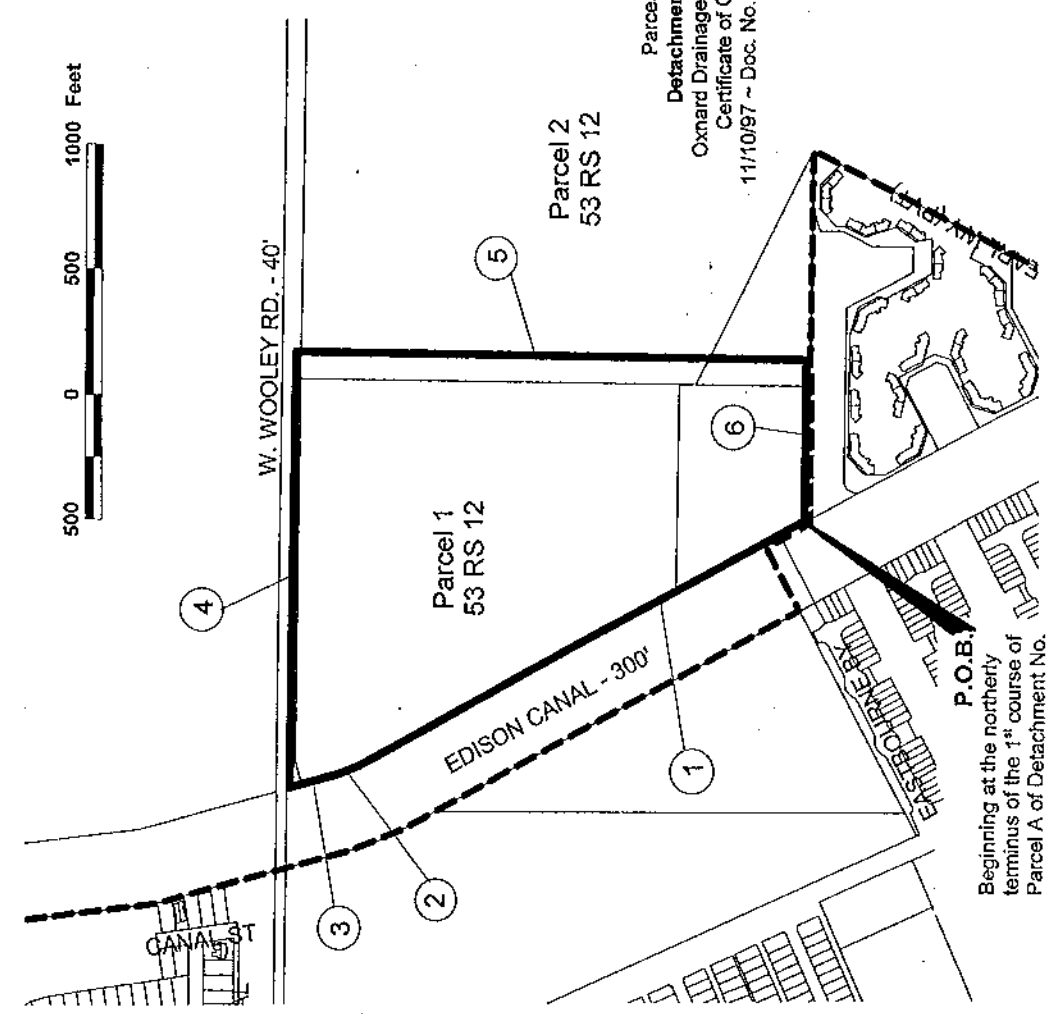
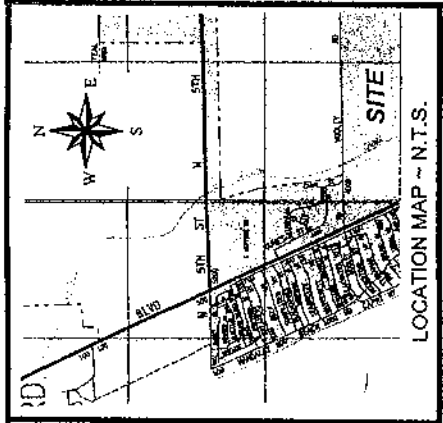
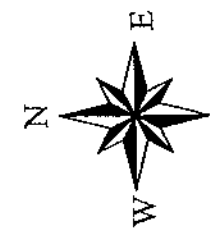
NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

Copies: Oxnard Drainage District No. 1
Ventura County Assessor
Ventura County Auditor
Ventura County Elections
Ventura County Surveyor

PREPARED BY:
BRAITMAN AND ASSOCIATES
 8277 CHESHIRE STREET
 VENTURA, CA 93004
 (805) 647-7612



COURSES

1st -	N 28°58'47" W	2017.40'
2nd -	R = 738.50'; L = 167.19'; D = 12°58'17"; Radial = S 61°01'16" W	
3rd -	N 16°00'27" W	185.58'
4th -	S 89°59'40" E	1731.42'
5th -	S 00°00'20" W	2097.60'
6th -	N 89°57'40" W	638.78'

58.51 Acres

Parcel A
 Detachment No. 3
 Oxnard Drainage District No. 1
 Certificate of Completion
 11/10/97 ~ Doc. No. 97-150791 O.R.

P.O.B.
 Beginning at the northerly
 terminus of the 1st course of
 Parcel A of Detachment No.
 3 from the Oxnard Drainage
 District No. 1

Existing Oxnard Drainage District No. 1 Boundary
 Proposed Detachment Boundary

OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT SUNCAL

All of the Parcel 1 and a portion of Edison Canal, 300.00 feet wide, in the City of Oxnard, County of Ventura, State of California, as said Parcel 1 and Edison Canal are shown on the map filed in the office of the County Recorder of said County in Book 53, Page 12 of Records of Survey.

OXNARD DRAINAGE DISTRICT NO. 1 DETACHMENT
SUNCAL

02-13

All of the Parcel 1 in the City of Oxnard, County of Ventura, State of California, as said Parcel 1 is shown on the map *filed* in the office of the County Recorder of said County in Book 53, Page 12 of Records of Survey, described as follows:

Beginning at a point in the easterly line of Edison Canal, 300.00 feet wide, as shown on said map filed in Book 53, Page 12 of Records of Survey, said point also being the northerly terminus of the 1st course of Parcel A of Detachment No. 3 from the Oxnard Drainage District No. 1 as described and shown in the Certificate of Completion recorded on November 10, 1997 in the office of said County Recorder as Document No. 97-150791 of Official Records; thence, along the existing boundary of said Oxnard Drainage District No. 1 by the following course and along said easterly line by the following three courses:

- 1st - North 28°58'47" West 2017.40 feet, at 124.83 feet leaving said district boundary, at 2017.40 to the beginning of a nontangent curve concaved easterly and having a radius of 738.50 feet, and a radial to said beginning of said curve bears South 61°01'16" West; thence, along said curve,
- 2nd - Northwesterly, and northerly 167.19 feet through a central angle of 12°58'17"; thence,
- 3rd - North 16°00'27" West 185.58 feet to the southerly line of Wooley Road, 40.00 feet wide, as shown on said map filed in Book 53, Page 12 of Records of Survey; thence, along said southerly line,
- 4th - South 89°59'40" East 1731.42 feet to the easterly line of said Parcel 1; thence, along the boundary of said Parcel 1 by the following two courses:
- 5th - South 0°00'20" West 2097.60 feet to said existing boundary of said Oxnard Drainage District No. 1; thence, along said existing boundary,
- 6th - North 89°57'40" West 638.78 feet to the point of beginning and containing 58.51 acres.